APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,451	01/31/2001	John SanGiovanni	MS155616.1/40062.104US01	8035

			EXAMINER
23552	7590	05/20/2004	NGUYEN, NHON D

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ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/773,451	SANGIOVANNI, JOHN
	Examiner	Art Unit
	Nhon (Gary) D Nguyen	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _01 March 2004_.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
  closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-52_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-9,13-23,25-32,35-40 and 43-50_ is/are rejected.

7) ☒ Claim(s) _10-12,24,33,34,41,42,51 and 52_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
  application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to Amendment A, filed 03/01/2004.

2.   Claims 1-52 are pending in this application. Claims 1, 16, 25, 35, and 43 are independent

claims. In the Amendment A, claims 1, 25, 34, 43, and 52 are amended. This action is made non-

final.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-9, 13-23, 25-32, 35-40, and 43-50 are rejected under 35 U.S.C. 102(b) as being

anticipated by Vayda et al. ("Vayda", US 5,798,760).

As per independent claim 1, Vayda teaches in a computing system, a navigational

interface for inputting text and control information into the computing system, the navigational

interface comprising:

an input pointer generating a selection stroke when operated by the user (col. 4, lines 41-

51 and col. 6, lines 13-22), the selection stroke indicative of a request to enter text or to perform

a task in the computing system (col. 5, lines 1-19);

a sensor pattern device radially divided into a plurality of sensory portions, the sensor

pattern device detecting the selection stroke and identifying at least one selected sensory portion

included in the selection stroke (col. 6, lines 15-16, fig. 3 and fig. 4); and

a first information element associated with a task to be performed in the computing

system and referenced by one of the plurality of sensory portions (col. 6, lines 54-65);

a second information element associated with text to be entered in the computing system

and referenced by one of the plurality of sensory portions (col. 6, lines 42-45); and

at least one selected sensory portion selected by the selection stroke, whereby

information entering text in the computing system and requesting performance of a particular

task by the computing system is input by the selection stroke (col. 6, lines 54-65 and col. 6, lines

42-45).

As per claim 2, which is dependent on claim 1, Vayda teaches an interface interpretation

module recognizing the selection stroke on the sensor pattern and entering the text or performing

the task associated with the selected information element (col. 6, lines 13-22).

As per claim 3, which is dependent on claim 2, Vayda teaches the sensor pattern

comprises:

a central sensory portion forming a single sensory portion (404 of fig. 4);

a petals sensory portion angularly divided into sensory petals distributed about the central

sensory portion, each sensory petal forming a single sensory portion (408 of fig. 4); and

an outer sensory portion associated with the sensory petals so that circumferential parts

of the outer sensory portion are associated with individual sensory petals (412 of fig. 4).

As per claim 4, which is dependent on claim 3, Vayda teaches a display pattern

associated with the sensor pattern radially divided into a central display portion (404 of fig. 4), a

petals display portion (408 of fig. 4), and an outer display portion, the display pattern presenting

each information element (412 of fig. 4).

As per claim 5, which is dependent on claim 3, Vayda teaches the selection stroke begins

at the central sensory portion, continues to at least one sensory petal, and terminates at the central

sensory portion whereby the information input into the computing system is text (col. 7, lines 9-

51).

As per claim 6, which is dependent on claim 3, Vayda teaches the selection stroke begins

and ends at the same sensory petal whereby the information input into the computing system is

task information (fig. 5; col. 9, line 51 – col. 10, line 14).

As per claim 7, which is dependent on claim 6, Vayda teaches the task information

activates an application installed on the computing system (col. 4, line 66 – col. 5, line 19).

As per claims 8 and 9, which are dependent on claims 3 and 8 respectively, Vayda

teaches the navigational interface of claim 3 wherein the selection stroke begins at a sensory

petal and continues to at least one other sensory portion of the sensor pattern whereby the

information input into the computing system is task information controlling operations in an

application installed on the computing system, wherein the other sensory portion is associated

with a menu item of the application whereby the information input into the computing system

defines a plurality of tasks of an updated set of information elements (fig. 5; col. 9, line 51 – col.

10, line 14).

As per claim 13, which is dependent on claim 3, Vayda teaches the sensor pattern device

is a touchpad having a surface and the selection stroke comprises: a press on a first selected

sensory portion on the surface of the touchpad; a slide from the first selected sensory portion to

at least one other selected sensory portion; and a lift from the surface of the touchpad whereby

the selection stroke is indicative of a touch, slide, and lift, and the selection stroke includes at

least two selected sensory portions, begins at the first selected sensory portion, and ends at the

other selected sensory portion (col. 7, lines 9-51).

As per claim 14, which is dependent on claim 3, it is inherent in Vayda's touch-screen

system to have the selection stroke comprises: a press on a selected sensory portion on the

surface of the touchpad; and a lift from the surface of the touchpad at the same selected sensory

portion whereby the selection stroke is indicative of a touch and lift at one selected sensory

portion.

As per claim 15, which is dependent on claim 3, Vayda teaches the input pointer is a

mouse having at least one button for press and lift (106 of fig. 1) and the sensor pattern device is

a display device (108 of fig. 1; col. 4, lines 33-51).

As per independent claim 16, Vayda teaches in a computing system having a display, an

operating system, and a graphical user interface, a navigational interface for inputting text

elements and control elements into the computing system, the navigational interface comprising:

a sensor pattern radially divided into a central sensory portion (404 of fig. 4), a petals

sensory portion (408 of fig. 4) and an outer circumferential portion (412 of fig. 4); the central

sensory portion forming a single sensory portion; the petals sensory portion angularly divided

into sensory petals distributed about the central sensory portion, each sensory petal forming a

single sensory portion; the outer circumferential portion angularly divided into outer sensory

segments (404, 408, and 412 of fig. 4);

the display associated with the sensor pattern and radially divided into a central display

portion, a petals display portion and an outer circumferential display portion; the central display

portion corresponding to the central sensory portion; the petals display portion angularly divided

into display petals distributed about the central display portion, each display petal corresponding

to a sensory petal; the outer circumferential display portion divided into outer display segments,

each outer display segment corresponding to an outer sensory segment (404, 408, and 412 of fig.

4);

the text elements and control elements being associated with the central sensory portion,

the sensory petals and the outer sensory segments, individually and in a plurality of combinations

of the same; and text elements and control elements being selected through a selection stroke

applied to one or more of the central sensory portion, the sensory petals and the outer sensory

segments whereby text elements and control elements are input into the computing system (col.

6, lines 54-65 and lines 42-45).

As per claim 17, which is dependent on claim 16, Vayda teaches the outer sensory

segments are associated with the sensory petals and at least one application activation control

element assigned to an outer sensory portion is selected by a selection stroke including an

associated sensory petal (col. 9, lines 26-50).

As per claim 18, which is dependent on claim 17, Vayda teaches at least one application

operation control element being selected through a selection stroke, including at least one

sensory petal and the central sensory portion (col. 7, lines 9-51).

As per claim 19, which is dependent on claim 16, it is rejected under the same rationale

as claim 5.

As per claim 20, which is dependent on claim 16, Vayda teaches the selection stroke is a

press and lift at the same outer sensory segment whereby the control element activates an

application installed on the computing system (col. 9, lines 26-50).

As per claim 21, which is dependent on claim 20, Vayda teaches the application is an operating system utility of an operating system (fig. 14; col. 14, line 65 – col. 15, line 34).

As per claim 22, which is dependent on claim 20, it is rejected under the same rationale as claim 8.

As per claim 23, which is dependent on claim 22, it is rejected under the same rationale as claim 9.

As per independent claim 25, it is rejected under the same rationale as claim 1.

As per claims 26, 27, and 28, they are rejected under the same rationale as claim 2.

As per claim 29, which is dependent on claim 26, Vayda teaches beginning the selection stroke on a sensory petal of a petal sensory portion of a sensor pattern of the navigational interface; continuing the selection stroke to at least one other sensory petal of the petal sensory portion; and terminating the selection stroke at the other sensory petal whereby the task performed is rotation of the information elements referenced by each sensory petal such that petal sensory portion is updated with an updated set of information elements defined by a menu item information element rotated to a primary active sensory petal (col. 7, lines 9-51).

As per claim 30, which is dependent on claim 25, it is rejected under the same rationale as claim 5.

As per claim 31, which is dependent on claim 25, Vayda teaches beginning the selection stroke on a central sensory portion of a sensor pattern of the navigational interface; continuing the selection stroke to a sensory petal of a petal sensory portion of the sensor pattern; and terminating the selection stroke at the sensory petal whereby the task performed is execution of a control operation in the computing system (col. 7, lines 9-51 and fig. 5; col. 9, line 51 – col. 10, line 14).

As per claim 32, which is dependent on claim 25, Vayda teaches beginning the selection stroke on a sensory petal of a petal sensory portion of a sensor pattern of the navigational interface; and terminating the selection stroke at the sensory petal whereby the task performed is activation of an application installed on the computing system (fig. 5; col. 9, line 51 – col. 10, line 14).

As per independent claim 35, it is rejected under the same rationale as claim 1.

As per claim 36, which is dependent on claim 35, it is rejected under the same rationale as claim 29.

As per claim 37, which is dependent on claim 35, it is rejected under the same rationale as claim 5.

As per claim 38, which is dependent on claim 35, it is rejected under the same rationale as claim 31.

As per claim 39, which is dependent on claim 35, it is rejected under the same rationale as claim 32.

As per claim 40, which is dependent on claim 39, Vayda teaches the application is one of the group consisting of a desktop environment, an operating system, and an application program (col. 6, lines 49-65).

As per independent claim 43, it is rejected under the same rationale as claim 25.

As per claim 44, which is dependent on claim 43, it is rejected under the same rationale as claim 26.

As per claim 45, which is dependent on claim 44, it is rejected under the same rationale as claim 27.

As per claim 46, which is dependent on claim 44, it is rejected under the same rationale as claim 28.

As per claim 47, which is dependent on claim 44, it is rejected under the same rationale as claim 29.

As per claim 48, which is dependent on claim 43, it is rejected under the same rationale as claim 30.

As per claim 49, which is dependent on claim 43, it is rejected under the same rationale as claim 31.

As per claim 50, which is dependent on claim 43, it is rejected under the same rationale as claim 32.

Claim Objections

5.   Claims 10, 11, 12, 24, 33, 34, 41, 42, 51, and 52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 1-52 have been considered but are moot in view of the new ground(s) of rejection.

Inquiries

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
May 14, 2004

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